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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,472	11/09/2001	David Hohl	LIFE052	5648

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EXAMINER

LIANG, REGINA

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 01/20/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/008,472

Applicant(s)

HOHL ET AL.

Examiner

Regina Liang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-45 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-12, 14-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claim 1, 2, 4-12, 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1, 11, the recitation "said second keys configured to display one said secondary alphanumeric character on each said second key upon actuation" is confusing since it is not understood which key is being actuated.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4, 11, 12, 14, 20-28, 32, 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoeksma (US. PAT. NO. 6,271,835).

As to claims 1, 11, 20-22, 24-26, Fig. 2 of Hoeksma discloses a data entry device, comprising a keypad including a plurality of first keys or primary keys (keys 220, 221 and 223 are interpreted as first keys or primary keys) and a plurality of second keys or secondary keys (keys 225, 227, 229), the first keys each having at least one primary alphanumeric character associated therewith (e.g., first key 223, characters "M N O" are primary characters), at least one

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of the first keys having at least one secondary alphanumeric character associated therewith (characters "P Q R" are secondary characters), and the second keys (keys 225, 227, 229) configured to display one of the secondary alphanumeric character (P Q R) on each of the second key upon actuation of key (223).

As to claims 2, 12, 23, 27, Hoeksma teaches a display field operatively coupled to the keypad, and configured to selectively display the characters.

As to claims 4, 14, Hoeksma teaches a touch screen in a superimposed relationship with the keypad.

As to claim 28, 32, 33, Hoeksma teaches entering a plurality of characters on the keypad to form a character string displayed on the display screen and processing data associated with the character string and entering the data into the memory (see Fig. 1 and col. 3, lines 62-65).

Claim Rejections - 35 USC § 103

4. Claims 5-10, 15-19, 29-31, 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoeksma in view of Will (US. PAT. NO. 5,825,353).

Hoeksma teaches the data entry device comprising a memory, a direct memory access controller, stored programming, a display controller (see Fig. 1). Hoeksma does not disclose the data entry device comprising a cyclic redundancy check circuit. However, Will teaches an input device comprising a cyclic redundancy check function in the microprocessor to perform a check value for the data (col. 6, lines 31-62). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the data entry device of Hoeksma to have

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the cyclic redundancy check circuit as taught by Will to make sure that there is no error in the data inputted.

Allowable Subject Matter

5. Claims 37-45 are allowed.


Response to Arguments

6. Applicant's arguments with respect to claims 1, 2, 4-12, 14-36 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (703) 305-4719. The examiner can normally be reached on Monday-Friday from 9AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


REGINA LIANG
PRIMARY EXAMINER
ART UNIT 2674

RL
1/15/04